



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

Michael O. Leavitt  
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State Engineer

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**BEFORE THE STATE ENGINEER OF THE STATE OF UTAH**

**RE:   Illegal use of water in excess of right        )**  
         **James Spencer and Linda G Eyre                )**  
         **Water Right No(s). 71-490, 71-491,            )**  
         **71-2114    )**

**ORDER OF THE  
STATE ENGINEER**


According to Utah Code Ann. section 73-3-1, no appropriation of water may be made and no rights to the use of water may be initiated without an application approved by the State Engineer. Water Right No(s). 71-490, 71-491, 71-2114 allows the irrigation of 85.90 acres with limitation on annual use of 434.60 acre feet of water. A comparison of aerial photography taken in mid-June 1997 with the updated water rights map shows that you are irrigating 8.00 acres more than allowed by Water Right No(s). 71-490, 71-491, 71-2114. The attached map shows the location of the illegally irrigated land.

NOW THEREFORE, according to Utah Code Ann. sections 73-2-1 and 73-5-3, you are hereby **ORDERED to cease the use of all water in excess of the uses and limits set forth in Water Right No(s). 71-490, 71-491, 71-2114.**

If you use water in violation of this ORDER, you will be in jeopardy of legal proceedings against you. Legal proceedings will be commenced as Division resources allow.

I strongly urge you to give this matter your immediate attention. Should you have questions regarding this ORDER, please contact Kerry Carpenter, Regional Engineer, at 586-4231 or Lee Sim, Assistant State Engineer, at 538-7380.

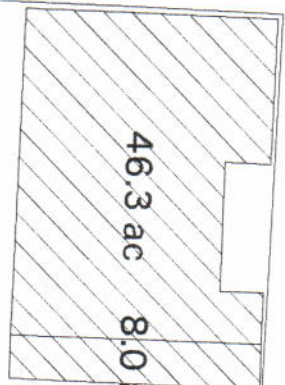
Dated this 14th day of October, 1997

  
Robert L. Morgan, P.E.  
State Engineer

cc:   Kerry Carpenter  
      LaVar Davis  
Enclosure



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46.3 ac    8.0 ac

36

T 28 S

James S. Eyre

